

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

MATTHEW HAYWARD,
Plaintiff,

v.

LINCOLN LIFE ASSURANCE COMPANY
OF BOSTON; and MASSACHUSETTS
FINANCIAL SERVICES COMPANY
LONG TERM DISABILITY PLAN,
Defendants.

C.A. No. 1:22-cv-11583 ADB

JOINT STATUS REPORT

Pursuant to this Court’s June 27, 2023 Order (ECF Doc. #20), the Parties—Plaintiff Matthew Hayward (“Plaintiff”) and Defendant The Lincoln National Life Insurance Company f/k/a Lincoln Life Assurance Company of Boston (“Lincoln”)—hereby provide this Joint Status Report:

Following its consideration of the additional documentation Plaintiff furnished to Lincoln in connection with Lincoln’s voluntary remand review of Plaintiff’s claim, Lincoln determined that additional disability benefits were payable. Plaintiff’s disability benefits have been reinstated.

The only remaining issues potentially to be litigated in this case are questions concerning Plaintiff’s alleged entitlement to attorney’s fees under 29 U.S.C. § 1132(g) and his alleged entitlement to prejudgment interest. The Parties are presently engaged in informal settlement negotiations concerning such issues. Allowing the Parties additional time to engage in such settlement negotiations will preserve the resources of the Parties and the Court, should negotiations prove successful.

Accordingly, the Parties propose to file a supplemental status report within sixty (60) days, and if, at that time, they have been unable to resolve the remaining fees and interest issues through informal negotiation, the supplemental status report shall contain a proposed briefing schedule for the resolution of those issues.

Respectfully submitted,

MATTHEW HAYWARD,

By his attorney,

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DEFENDANT THE LINCOLN NATIONAL
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LINCOLN LIFE ASSURANCE COMPANY
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By its attorneys,

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Dated: December 29, 2023

CERTIFICATE OF SERVICE

I hereby certify that on December 29, 2023, I caused the within document to be electronically filed through the CM/ECF system, and it will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

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